

00727 U.S. PTO
10/694286

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION | | PRIOR APPLICATION EXAMINER | ART UNIT |
|---------------|--|----------|----------------------------|----------|
| | CLASS | SUBCLASS | | |
| MVIS 98-08 C1 | | | Que Tan Le | 2878 |

Address to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior Application Number 10/304,724, filed on November 25, 2002, entitled "FREQUENCY TUNABLE RESONANT SCANNER AND METHOD OF MAKING."

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 10/304,724, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|--|---------------------|---------------------|-------------------------------|---------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c)) | 18 -20= | 0 | x \$18 = | \$ 0 |
| | INDEPENDENT CLAIMS (37 CFR 1.16b)) | 2 -3= | 0 | x \$86 = | \$ 0 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | +\$290 = | \$ 0 |
| | | | | BASIC FEE (37 CFR 1.16(a)) | \$ 770 |
| | | | | Total of above calculations = | \$ 770 |
| | Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ 385 |
| | | | | TOTAL = | \$ 385 |

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
☐ is enclosed.
☒ was filed in prior application number 10/304,724 and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 500284. A duplicate copy of this sheet is enclosed.
4. ☒ A check in the amount of \$385 is enclosed.
5. ☒ Cancel in this application original claims 1-33 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. ☒ The inventor(s) of the invention being claimed in this application is(are): David W. Wine, Mark P. Helsel, Jon D. Barger, Clarence T. Tegreene
7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Director is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

8. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of application number 10/304,724, filed November 25, 2002."
9. ☐ New formal drawings are enclosed.
10. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119(a)-(d).
☐ The certified copy has been filed in prior application number _____, filed _____.
11. ☒ A preliminary amendment is enclosed.
12. ☒ The prior application is assigned of record to Microvision, Inc., 19910 North Creek Parkway, PO Box 3008, Bothell, WA 98011.
13. ☒ Also enclosed:
 Postcard
 Check
 Certificate of Express Mail
 Copy of original application
 Copy of original Declaration and Power of Attorney
 Preliminary Amendment
 Information Disclosure Statement
 PTO form 1449 substitute
14. ☒ The power of attorney in the prior application is to: Clarence T. Tegreene, Reg. No. 37,951.
 a. ☒ The power of attorney appears in the original papers in the prior application.
 b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 c. ☒ Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)

☐ Customer Number
 OR

 Type Customer Number here



Place Customer Number Bar Code
 Label here

☒ Firm or
 Individual Name

Intellectual Property Counsel

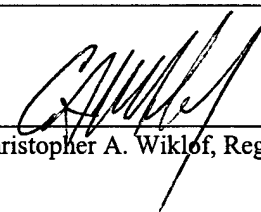
Address Microvision, Inc.

Address PO Box 3008

City Bothell State WA ZIP 98041

Date

10/27/03


 Christopher A. Wiklof, Reg. No. 43,990

- ☐ Inventor(s)
☐ Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.
☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)
 Registration number if acting under 37 CFR 1.34(a). _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David W. Wine, Mark P. Helsel, Jon D. Barger, Clarence T. Tegreene
Filed : October 27, 2003 (October 25 being a Saturday)
For : FREQUENCY TUNABLE RESONANT SCANNER AND
METHOD OF MAKING

Docket No. : MVIS 98-08 C1

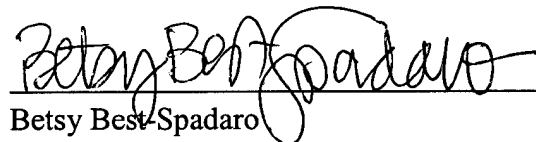
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EL 440420829US, on October 27, 2003, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450

Respectfully submitted,
Microvision, Inc.


Betsy Best Spadaro

CAW:bbs

Enclosures:

Postcard
Check
Request for Filing a Continuation Application
Copy of Original Specification, Claims, Abstract (58 pages)
Copy of 40 Sheets of Drawings (Figures 1-43)
Copy of Declaration and Power of Attorney
Preliminary Amendment
Information Disclosure Statement,
Form PTO-1449 (substitute)